

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.421 OF 2002
IN
SUMMARY SUIT NO.753 OF 2001

The National Small Ind.Corpn. ..Plaintiffs

Vs.

Shri Padmakar Mishra ..Defendant

Ms.Vandana Gupte and Mrs.Padmaja Dholakia i/b
Dholakia Gupte and Co. for the plaintiffs

Mr.A.S.Tamhane i/b Tamhane and Co. for the
defendant

CORAM : S.U.KAMDAR, J
DATED : 21ST SEPTEMBER, 2005

P.C.:

. The present suit is filed on dishonoured cheque for Rs.8 lacs with interest thereon totalling to Rs.9,80,000/-. The defendant has contended that the payment in respect of the said cheque is duly made on 30.8.96. In view of the aforesaid dispute raised by the defendant, the plaintiff has produced their books of account indicating that the said payment of 15 lacs is already been credited and thereafter there is further disbursement of the amount towards raw

material purchase facility from time to time. I have perused the said account. I am satisfied that the contention raised by the defendant that the said amount is already been paid has no merits. In that view of the matter, there shall be decree in favour of the plaintiffs and against the defendants for sum of Rs.9,80,000/- with further interest @ 18% .Suit decreed accordingly. Suit as well as summons for judgment disposed of accordingly. Refund of court fee as per rules.